

### Remarks

By this amendment, apparatus claims 1 – 56 have been canceled just to simplify and expedite the prosecution of the application. Claims 57 – 74 have been withdrawn. Claims 75, 76 and 77 have been added to more accurately claim the applicant's invention.

Claims 19, 27, 30, 31 and 44 – 50 have been rejected under 35 USC 112 for reciting trademarks or trade names. This is no longer an issue, as the applicant has canceled those claims.

Claims 38 and 41 have been rejected under 35 USC 102(b) as being anticipated by Watts. Although Watts may suggest that certain mixtures may have a viscosity greater than 2,500 cps, the applicant cannot find where Watts suggests that such a high viscosity can be achieved with the specific combination of elements recited in applicant's claim 41.

Claims 1, 2, 4-10, 19-21, 23, 24, 28, 29, 36, 37, 39, 40, 43 and 51-56 have been rejected under 35 USC 103(a) as being unpatentable over Watts in view of Pineda et al. The applicant believes, however, that the prior art does not suggest the combination of Watts and Pineda et al, nor does the prior art suggest modifying one according to the other. The compositions of Watts and Pineda et al apparently are useful mixtures in themselves, so there is no suggested reason to alter them. As for the claims that pertain to viscosity, Watts teaches against viscosities greater than 10,000 cps. In col. 5, line 15, Watts states "Viscosities thicker than 10,000 ctps are generally too thick ..."

Claims 3, 15-18, 27, 32-35 and 42 have been rejected under 35 USC 103(a) as being unpatentable over Watts in view of Pineda et al and further in view of Vandermeer. Claims 11-14 have been rejected under 35 USC 103(a) as being unpatentable over Watts in view of Pineda et al and further in view of Quraishi et al. Claims 22, and 25-27 have been rejected under 35 USC 103(a) as being unpatentable over Watts in view of Pineda et al and in further view of Helferich et al. Claims 30, 31, 44-48 and 50 have been rejected under 35 USC 103(a) as being unpatentable over Watts in view of Pineda et al and further in view of applicant's admission (use of HP4). And claim 49 has been rejected under 35

USC 103(a) as being unpatentable over Watts in view Pineda et al and further in view of applicant's admission and Helferich et al.

The applicant believes his claims have been rejected by the examiner picking and choosing select ingredients from an assortment of patented mixtures and then combining those ingredients in a manner taught by the applicant. Thus, the suggestion to combine the ingredients is offered by the applicant's teaching, not the prior art. On the other hand, some of the applicant's original claims do appear to be limited to just one or two elements thus forcing the examiner to reject the claimed elements one-by-one.

To clear up this situation, the applicant has canceled claims 1 – 56, and proposes claims 75, 76 and 77, which recite compositions that are more complete and well defined. Although the individual elements of the compositions may not be new, their specific combination, their specific particle sizes, and their specific weight proportions, together, are neither disclosed nor suggested by the cited art. The unique combination of elements found in the newly added claims provides a composition having the following unusual characteristics: 1) exceptionally high viscosity, 2) rapid cure, 3) long working time without continuous agitation, 4) being recyclable, and 5) being dust-free. In other words, the claimed composition provides surprising, unexpected results.

Respectfully submitted,



Robert J. Harter (Reg: 32,031)

Patent Agent for Applicant

608-788-2778

PLEASE NOTE: As of May 13, 2005, the power of attorney and correspondence address has been changed from Boyle Fredrickson Newholm Stein & Gratz (who originally drafted the application) to Robert J. Harter (who is currently prosecuting the case).